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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,087	06/01/2001	Jose Iborra	CHG-001.2P	4934
26717	7590	04/25/2005	EXAMINER	
RONALD CRAIG FISH, A LAW CORPORATION PO BOX 820 LOS GATOS, CA 95032			VO, TED T	
		ART UNIT		PAPER NUMBER
		2192		

DATE MAILED: 04/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/872,087	IBORRA ET AL.	
Examiner	Art Unit		
Ted T. Vo	2192		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(h).

Status

1) Responsive to communication(s) filed on 18 January 2005.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-5 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) Claim(s) _____ is/are allowed.
6) Claim(s) 1-5 is/are rejected.
7) Claim(s) _____ is/are objected to.
8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____.

DETAILED ACTION

1. This action is in response to the amendment filed on 01/18/2005 responsive to the Office action dated on 08/16/2004.

- Claims 1-5 are amended. The amendment necessitated the new ground(s) of rejection presented in this Office action, accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

- Claims 1-5 stands finally rejected under 35 U.S.C. 102(b) as being anticipated by newly cited reference, Rational Software, "Rational Rose 98i Using Rose J", 1998.

- **Objection to the Amendment**. Claims 6-8 were canceled in the Applicants' reply dated: 06/28/2004. Claims 6-8 are not pending in this application. However, the amendment shows the texts of Claims 6-8 in the Claimed listing. In accordance to 37 CFR 1.121(c)(4), when canceled, the texts should not be included. For example, Claims 6-8 should only appear in the claimed listing as "6-8 (cancelled)". The correction is required in the next reply.

- Claims 1-5 are pending in this application.

Response to Arguments

2. Applicants' arguments in the remarks (page 11-15) to amended Claims 1-5 have been fully considered. The amendment necessitated the new ground(s) of rejection presented in this Office action. All Applicants' arguments are moot in view of the new ground(s) of rejection.

Claim objections

3. Claims 1-2 are objected to.

Claim 1 is objected to because the preamble does not set its boundary. The lack of using of transition phase such as "comprising" does not set the boundary or the scope of the Claim.

Claim 2 is objected to because of misspelling to the word "createdl", at line 20, in page 5.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per Claim 3: "The Process" recited in the preamble of Claim 3 is insufficient antecedent basis. It should be "The method" for consisting to the scope of Claim 2.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Rational Software Incorporation, "Rational Rose 98i Using Rose J", 1998 (hereinafter: Rose)

Given the broadest reasonable interpretation of followed claims in light of the specification.

As per Claim 1: Rose is a graphical user interface framework that provides to construct a program generated from a complexity model. Rose provides a user to input primitives, and display the built model and generate Java source code from the model (See page 11: Chapter 1 – Introduction to Rational Rose J). Rose discloses, "*display a graphical user interface ('Java Base Classes and Frameworks')* and receive

input data entered by user through tools provided by said graphical user interface (See page 12: About

Java Base Classes and Frameworks

so as to define primitives (See page 29: Variables with Primitives types, page 35: Arrays and Vectors, and associated texts of these pages)

that define an object model, a functional model, a dynamic model

and a presentation model (Page 27: Supported Java Semantics for Classes) which, taken together,

comprise a full conceptual model of a computer (Java Specification) to be written

said object model, functional model, dynamic model

and presentation model defining the content of a formal

language specification for said computer program (See Chapter 2, page 26: How Rational Rose J Models

Java Elements – and its associated text),

said graphical user interface comprising

a plurality of dialog boxes (Page 10: Related Document: "Rational Rose dialog boxes"), menu choices

(Page 21: About Java Elements in a Rational Rose Model: "Tool menu") and/or graphic screens each of

which has boxes which can be filled in with data or menu selections (Page 21: About Java Elements in a

Rational Rose Model: "Tool menu". Page 26: Chapter 2 How Rational Rose J Models Java Elements:

"use the shortcut menu to assign the class to component from the list"),

tools or icons which can be invoked to allow a user to enter information defining classes, attributes of said
classes, events, relationships between classes (Pages 18, 19, 20, 21 and associated texts in these
pages),

valuation formulas for events that affect the value of variable attributes of said classes and all the other
information needed to define said object model, functional model, dynamic model and presentation model
of said conceptual model (Page 39: Java Methods, and Supported Java Semantics for Methods);

automatically converted each primitive entered by said user via tools displayed by said graphical user
interface into a corresponding part of said formal language specification, each said part of said formal
language specification defined by one or more formal language statements having predefined rules of
syntax and semantics which are known to a validator process (Page 27: Supported Java Semantics for

Classes. Page 61: Generating Java Source from a Component Diagram, page 62: Generating Java Source from a Class Diagram, and the associated texts in these pages).

As per Claim 2: Rose discloses the limitation of Claim 2:

"A method for using a computer to display a graphical user interface to present tools which are available to a user to enter user requirements for a computer program to be written by an automated software production tool comprised of a programmed computer, comprising:

displaying on a computer a plurality of tools ('Frameworks', 'Tools menu' seen in page 12: About Java Base Classes and Frameworks) including dialog boxes, menu choice and/or graphic screens each of which can be invoked to allow a user

to enter primitives which define an object model, functional model, dynamic model and presentation model, which, taken together, define a full conceptual model of a computer program (Java Specification) to be written by an automatic software production tool (Rose Rational Frameworks), said tools allowing a user to create data and/or graphic objects which define classes, attributes of said classes , events, relationships between classes, valuation formulas for events that affect the value of variable attributes of said classes, user interface patterns and said tools allowing a user to specify the content of user interface displays and said tool allowing a user to enter information which defines all other information needed to define said conceptual model of requirements for said computer program to be written by said automated software production tool; and

as a user uses said tools to enter data or makes selections or creates graphic objects, displaying the data entered or selection made and displaying any graphic object created; and

converting said primitives to statements in a formal language which is mathematically based and has predefined rules of syntax and semantics", because Claim 2 is a method that has claimed functionality corresponding to the claimed functionality of Claim 1. Claim 2 recites the limitation that has functionality corresponding to the recitation of claim 1. See rationale set forth addressed to Claim 1 above.

As per Claim 3: Rose discloses, *"The process of claim 2 further comprising the step of using a computer to automatically validate said statements written in said formal language or other symbology which has*

predefined rules of syntax and semantics so as to verify that said statements so written are syntactically and semantically correct, complete and not ambiguous (See further citation: Pages 58-59: Checking for Java Syntax Errors. Page 59: Setting Project Specification that Affect Code Generation).

As per Claim 4: Rose discloses limitation of claim 4:

"A computer-readable medium storing computer-executable instructions for controlling a computer system to display a graphical user interface including tools which can be invoked by a user to enter data to create a conceptual model defining a computer program to be automatically generated by said computer system, said conceptual model including n object model, a functional model, a dynamic model and a presentation model, and for controlling said computer system to automatically convert said conceptual model into statements written in a formal language which is mathematically based and which have predefined rules of syntax and semantics, said statements in said formal language taken together defining a formal language specification, said computer-executable instructions, when loaded into said computer system and executed thereby causing said computer system to:

displaying on a computer a plurality of tools ('Frameworks', 'Tools menu' seen in page 12: About Java Base Classes and Frameworks) including dialog boxes, menu choice and/or graphic screens each of which can be invoked to allow a user to enter primitives which define an object model, functional model, dynamic model and presentation model, which, taken together, define a full conceptual model of a computer program (Java Specification) to be written by an automatic software production tool (Rose Rational Frameworks) controlling a computer system, said tool allowing a user to create data and/or graphic objects which define classes, attributes of said classes , events, relationships between classes, valuation formulas for events that affect the value of variable attributes of said classes, user interface patterns and said tools allowing a user to specify the content of user interface displays, and said tool allowing a user to enter information which defines all other information needed to define said

conceptual model of requirements for said computer program to be written by said automated software production tool.,” because Claim 4 is a computer readable claim that has claimed functionality corresponding to the claimed functionality of Claim 1. Claim 4 is rejected in the same reason set forth in connecting to the rejection of Claim 1.

As per Claim 5: Rose discloses,

“The computer-readable medium of claim 4 further containing instructions for controlling a computer to automatically translate said specification into working computer code, by:

controlling said computer to automatically translating said conceptual model into a specification of said computer program written in a formal language or symbology (ROSE uses object model) having predefined rules of syntax and semantics (Page 58-59: Checking for Java Syntax Errors. Page 59: Setting Project Specification that Affect Code Generation. Page 59: How Controlled Units May Affect Code Generation);

controlling said computer to use said rules of syntax and semantics to validate said specification to verify that said formal language specification is syntactically and semantically complete, correct, and not ambiguous (Page 58-59: Checking for Java Syntax Errors. Page 59: Setting Project Specification that Affect Code Generation. Page 59: How Controlled Units May Affect Code Generation); and controlling said computer to translate said formal language specification into working computer code (Page 59: Setting Project Specification that Affect Code Generation. Page 59: How Controlled Units May Affect Code Generation)”.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of

this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted T. Vo whose telephone number is (571) 272-3706. The examiner can normally be reached on 8:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3694. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR System, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ted T. Vo
Primary Examiner
Art Unit 2192
April 18, 2005